REMARKS

Claims 1-85 are now pending in the application.

The Section 101 Rejection

Claims 27-29 are amended in response to the statutory subject matter rejection in paragraph 1 of the office action.

For example, claims 27 and 28 now recites a method according to claim 19, wherein the method comprises using a software tool, or computer program, having a program code that is run on a computer device or the mobile electronic device.

Claim 29 now recites a computer program product with a program code, which is stored on a computer readable medium for carrying out a method comprising storing in a storage device digital content having digital picture/video data; editing and changing with a processor said stored digital content; obtaining data provided from a sensor with a component; and generating/processing digital content stored on a mobile electronic device in accordance with said data obtained from said sensor, when said computer program is run on a network device or a mobile computer device.

In view of these amendments, none of the claims recite to a software tool or computer program per se, but instead recite a computer program product which is a known piece of apparatus in the art.

Reconsideration and withdrawal are respectfully requested.

Claims 1, 19, 29 and 85

The present invention provides a mobile electronic device, e.g. a mobile telephone phone (see claim 6), with built-in answering machine functionality that

allows digital content to be edited and changed based on obtained sensor data.

As recited in independent claim 1, as amended, the digital content may include digital picture/video data that may be recorded, displayed, created, copied, converted, modified, linked to events, attached and generated in response to the obtained sensor data, which may take the form of an incoming call, a time of day, a diary input, etc., as described in the patent application on page 7, line 35, through page 9, line 6. In operation, the built-in answering machine functionality of the mobile phone may provide, in response to an associated incoming call, a respective digital picture/video data image that was recorded and modified by the user specifically for that particular caller. This digital picture/video data feature was previously recited in dependent claim 8.

The proposed combination of Valentine in view of Umeda does not teach or suggest the subject matter of claim 1, as amended.

In contrast to the claimed invention, Valentine discloses a technique, particularly over wireless communication systems, for providing voice messaging services and options, including caller specific greetings and options based on time, activity or specific location that can be activated manually or by a schedule. See Valentine, paragraph [0009] through [0015]. In operation, Valentine's technique stores digital content and processes the same based on sensor data, which may take the form of caller specific information, time of day, day of week, location, etc. Valentine also discloses using some component to obtain such sensor data from a sensor device, to provide the sensor data to a processor, which in turn provides the voice messaging services and options based on such sensor data.

However, it is respectfully submitted that Valentine does not teach or suggest to use this technique in a mobile electronic device, e.g. a mobile telephone (see

claim 6), with built-in answering machine functionality that allows digital content to be edited and changed based on obtained sensor data, or applying the same to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones.

Moreover, regarding claim 1, as amended, it is respectfully submitted that Valentine does not teach or suggest to apply this technique so as to allow a user to store, process (i.e. edit and change) and generate such digital picture/video data in response to the obtained sensor data, as claimed. It is also respectfully submitted that Umeda does not make up for this deficiency in the teaching of Valentine, because Umeda merely discloses a technique for switching resources and the information format in accordance with a change in the environment in which an object to be inspected exists. Umeda's switching technique is trying to solve a problem related to a mobile terminal and the display of WWW information becoming invisible due to adverse environments, such as surrounding darkness, that the mobile terminal from which the information being displayed in subjected to. See Umeda, section [0003]. Finally, Umeda does not teach or suggest either applying this switching technique to a system such as Valentine's, or applying this switching technique to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones. Because of this, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the cited prior art in the manner proposed.

Independent claims 19, 29 and 85 have similar limitations and are deemed patentable over the proposed combination for similar reasons.

For all these reasons, it is respectfully submitted that the proposed combination does not teach or suggest the subject matter of claim 1, 19, 29 and 85.

Claim 30, 63 and 73

The newly added claim 30, 63 and 73 substantially include the subject matter of claim 1 or 19 or 29 in combination with dependent claim 13.

The proposed combination of Valentine in view of Yoshimoto does not teach or suggest the subject matter of claim 30, 63 and 73.

As recited in newly added independent claim 30, the sensor that obtains the sensor data includes an accelerometer which enables the digital content to be modified according to the detected movement, as described in the patent application on page 10, line 27, through page 11, line 15. For example, the faster the electronic device is accelerated in a certain direction, the more the image changes accordingly. The accelerometer also enables the mobile electronic device to generate a beat or drum rhythm, or can be used to determine if the mobile electronic device is tilted and accordingly adapt the setting of the text. This accelerometer sensing feature was previously recited in dependent claim 13.

In contrast to the claimed invention, and consistent with that set forth above, Valentine discloses a technique, particularly over wireless communication systems, for providing voice messaging services and options, including caller specific greetings and options based on time, activity or specific location that can be activated manually or by a schedule. See Valentine, paragraph [0009] through [0015]. In operation, Valentine's technique stores digital content and processes the same based on sensor data, which may take the form of caller specific information, time of day, day of week, location, etc. Valentine also discloses using some component to obtain such sensor data from a sensor device, to provide the sensor data to a processor, which in turn provides the voice messaging services and

options based on such sensor data.

However, it is respectfully submitted that Valentine does not teach or suggest to use this technique in a mobile electronic device, e.g. a mobile telephone phone (see claim 6), with built-in answering machine functionality that allows digital content to be edited and changed based on obtained sensor data, or applying the same to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones.

Moreover, regarding claim 30, as added, it is respectfully submitted that Valentine does not teach or suggest to apply this technique so as to allow a user to store, process (i.e. edit and change) and generate such digital content in response to the obtained sensor data from an accelerometer, as claimed. It is also respectfully submitted that Yoshimoto does not make up for this deficiency in the teaching of Valentine, because Yoshimoto merely discloses a technique for a mobile terminal moving through a frequent shadowing area to predict a time band when communication with a satellite becomes possible based on speed/acceleration information. Yoshimoto does not teach or suggest either applying this predicting technique to a system such as Valentine's, or applying this predicting technique to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones. Because of this, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the cited prior art in the manner proposed.

Independent claims 63 and 73 have similar limitations and are deemed patentable over the proposed combination for similar reasons.

For all these reasons, it is respectfully submitted that the proposed combination does not teach or suggest the subject matter of claim 30, 63 and 74.

Claim 47, 74 and 84

The newly added claim 47, 74 and 84 substantially include the subject matter

of claim 1 or 19 or 29 in combination with dependent claim 16.

The proposed combination of Valentine in view of Yoshimoto does not teach

or suggest the subject matter of claim 47, 74 and 84.

As recited in newly added independent claim 47, the sensor that obtains the

sensor data can senses atmospheric properties, like temperature, pressure,

humidity, solar flux, pollution values, etc., which enables the digital content to be

modified according to the detected properties, as described in the patent application

on page 11, line 31, through page 12, line 17. For example, the text displayed can

be bolder or thinner in response to a sensed pressure value, or the pitch frequency

of speech may be higher or lower based on sensed ambient temperature. This

atmospheric condition sensing feature was previously recited in dependent claim 16.

In contrast to the claimed invention, and consistent with that set forth above,

Valentine discloses a technique, particularly over wireless communication systems,

for providing voice messaging services and options, including caller specific

greetings and options based on time, activity or specific location that can be

activated manually or by a schedule. See Valentine, paragraph [0009] through

[0015]. In operation, Valentine's technique stores digital content and processes the

same based on sensor data, which may take the form of caller specific information,

time of day, day of week, location, etc. Valentine also discloses using some

component to obtain such sensor data from a sensor device, to provide the sensor

data to a processor, which in turn provides the voice messaging services and

options based on such sensor data.

However, it is respectfully submitted that Valentine does not teach or suggest to use this technique in a mobile electronic device, e.g. a mobile telephone phone (see claim 6), with built-in answering machine functionality that allows digital content to be edited and changed based on obtained sensor data, or applying the same to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones.

Moreover, regarding claim 47, as added, it is respectfully submitted that Valentine does not teach or suggest to apply this technique so as to allow a user to store, process (i.e. edit and change) and generate such digital content in response to the obtained sensor data from an atmospheric conditions sensor, as claimed. It is also respectfully submitted that Eckel does not make up for this deficiency in the teaching of Valentine, because Eckel merely discloses a technique for recalibrating an altimeter in a mobile telephone by determining from atmospheric pressure data and measured atmospheric pressure the difference in altitude between the handset and the reference altitude. See section 10 of Eckel, which summarizes Great Britain Patent No. GB 2 357 582. Eckel's altitude recalibration technique is trying to solve a problem related to a mobile terminal and the recalibration of its altimeter whenever there is change in the weather, which requires the altimeter to measure the atmospheric pressure when located at a known altitude. See Eckel, section [0005]. Eckel does not teach or suggest either applying this recalibrating technique to a system such as Valentine's, or applying this recalibration technique to solve problems related to, or associated with, built-in answering machine functionality in such mobile electronic devices, terminals or telephones. Because of this, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the cited prior art in the manner proposed.

Independent claims 74 and 84 have similar limitations and are deemed patentable over the proposed combination for similar reasons.

For all these reasons, it is respectfully submitted that the proposed combination does not teach or suggest the subject matter of claim 47, 74 and 84.

Remaining Dependent Claims

The remaining dependent claims depend directly or indirectly from one or more of the aforementioned independent claims, contain all the limitations thereof, and are deemed patentable for all the reasons set forth above.
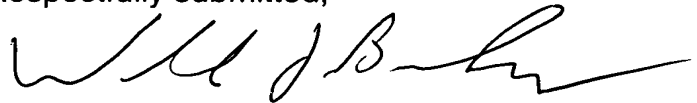
Conclusion

The commissioner is hereby authorized to charge any fees in order to submit this amendment to deposit account no. 23-0442.

For all these reasons, reconsideration and early allowance is respectfully requested.

12 September 2007

Respectfully submitted,

William J. Barber
Attorney for the Applicant
Registration No. 32,720

WJB/dac
WARE, FRESSOLA, VAN DER SLUYS
   & ADOLPHSON LLP
755 Main Street, PO Box 224
Monroe CT 06468
(203) 261-1234